

1893-007 Chancery Causes: John F. Skaggs twife vs. Heirs of C. B. Howard
Lee Co.

Johnson, Gilly, Parks, Gilley, Sparks

1 Plat

CA-Estate Dispute
T-Property

To the Hon. S. S. K. Morrison, Judge
of the Circuit Court for Lin County:

Your orator and oratrix John
F. Skaggs and Eveline J. Skaggs
humbly complaining respectfully
showeth unto your Honor, That
your female Complainants' father,
C. B. Howard, was in his life
time seized and possessed of a
certain real estate lying and being
in the County of Lin and within
a hundred yards of the depot at
Perrington's Gap; that said real
estate is bounded on the southern
side by the L. & N. right of way
and a small strip heretofore
condemned for a public pass-
way; and on the western side
by lands formerly belonging to
the Perrington's Gap Improve-
ment Company; and on the
northern side by ~~lands~~ also
belonging to said Company and on
the eastern side by a branch,
and supposed to contain about
six acres; that said land is
in three parcels, being cut by
both Joslyn and Morgan ave-
nues; and being so seized and

possessed of said land, the said
C. B. Howard, on or about the
day of 1890 died in-
testate leaving your coatrix,
Mahell Johnson the wife of C. E.
Johnson, Octa Howard, and
John W. Howard and the
children of Mary Gilly, to wit:
Cornie Parks the wife of H. C. Parks
Emory Gilly, Gale Gilly, Anis
Gilly, Fred Gilly and Pip Gilly
his only children and his at
law. All of said heirs and chil-
dren and heirs are minors ex-
cept your Complainants, C. E.
Johnson and H. C. Parks. And
your ^{Complts} ~~extra~~ further state that the
said real estate is, as they believe
susceptible of partition among
the parties entitled thereto. Your
Complts. further state that they
on the western side of said land
and adjoining thereto ~~they~~ own
real estate; it is therefore
desired by your Complts. that
their one-fifth interest in said
off and assigned them adjoining
to their said lands.

Forasmuch, therefore as your
complaints are remediless in the
premises save in your honor's
Court of Chancery they pray that
the said C. B. Johnson, Mabel
Johnson, Docta Howard, John
W. Howard, H. C. Parks, Cor-
nie Parks, Lerud Gilly, Anis
Gilly, Gale Gilly, Emory Gilly
and Rife Gilly may be made
parties defendants to this bill and
required to answer the same on their
oaths, the said adults in their own
proper persons and the infants by
Guardians ad litem; that a proper
guardian ad litem be appointed
in this cause for said infants who
shall also answer this bill on
oath; that proper process issue;
that the said real estate be di-
vided among the parties entitled
thereto; And that all such other
further and General relief be
granted as in the premises may be
just & right. And your Complaints
will now pray &c.

Presumpton & Gains

J. G.

Q. 73

John F. Skaggs & wife

vs Bill In Chancery

Le. B. Howard's heirs

1892 1st Octo Rules

Bill filed & served

Exd on adult rights
& Decree nisi as to
them, as G. A. L.

filed & caused

" 2nd Octo Rules & nisi
caused Cause set
for hearing
by Plffs

" Nov no Court

1893 March Decree Cont

" June Decree final

Q. 73. 485-

C.	11.03	5749.36
G.A.L.	5.00	\$9.87
S	5.50	30
A	15.00	\$10.17 1/2
Court	10.00	
Acc	2.83	
	49.36	

To the Hon. H. S. K. Morrison
Judge of the Circuit Court
for Lee County.

The answer of Mabel Johnson,
Cornie² Parks, Emily³ O. Howard, John
M.⁴ Howard, Emory Gilley, Fred Gilley,
Amos⁷ Gilley, Lip⁵ Gilley & Gale Gilley
Defendants in a chancery cause
instituted in your Honor's Court
under the style of John F. Skaggs et al
vs Lehas. E. Johnson et al - by J. A. G.
Hyatt their Guardian ad litem

Has answer this respondent
says that his wards are all of
tender years, hence incapable of
advising as to their best interest,
lent from a personal knowl-
ge of the facts stated in the
Bill, he thinks it will be to
the interest of all to have
said partition made -

Moreover the rights of these
wards are placed in the hands
of Your Honor where they will be
carefully guarded. And your
respondent prays hence to be
dismissed with his reasonable
costs.

J. A. G. Hyatt
G. A. L.

J. F. Spaggstoeife
3 Anson
vs 3 G. A. Litem
C. B. Howardhuirs

Filed 1st Oct
Rules 1892
J. A. Hyatt ©

Free 5¢

John F. Skaggs et al Compts

vs.

C. B. Howards heirs Deft

McKen-

This Cause came on this day to be heard upon the papers formerly read in said Cause, and the report & plat of Comrs. L. M. Carmichael, Wm M. Huntington & W. N. G. Barron filed in this Cause on the 23rd day of May, 1893.; and said report being excepted to, it is adjudged, ordered and decreed that said report & plat be and are hereby confirmed and that Eveline Skaggs Take and hold lot no. one set out in said report excepting therefrom that portion of Morgan & Joclyn avenues which passes through said lot; That Cornie Parks, Emory Gilly, Leonard Gilly, Annis Gilly, Fisk Gilly and Gale Gilly take & hold lot no two, with the same exceptions as in Mrs. Skaggs lot; That Emory C. Howard Take and Hold Lot no. three with the same exceptions as in Mrs. Skaggs lot; That John M. Howard

take & hold lot no. four with
like exceptions as in the
other lots, and that Mabelle
Johnson take and hold lot
no. five with the exceptions
as aforesaid in the other lots.
And the Clerk of this court
will make out and deliver
to the Clerk of the County Court
of this county to be therein re-
corded in the proper deed
book, the decree of this court
directing the partition of said land,
the report & plat of said course
and this decree confirming
the same. And the costs of this
suit be taxed by the clerk of
this court and that each of
said parties will pay each
one-fifth thereof and execution
may issue therefor in favor
of the officers of this court.
And this cause is stricken
from the docket.

no 4
John F. Krugger
vs. Mabelle Johnson

Le. B. Howard & Co. Secy
Entered on D. B.
Page 485.
June 5, 1893

J. A. & Hyatt &
Recorded in Deed
Book 29 pa- 362.

Enter this
June 8th 1893
H. J. W. M.

John F. Skaggs & wife

vs

C. B. Howards heirs

} In Chancery

This cause on this day to be heard upon the bill of the Comptrolr, the answer of Mabel Johnson, Emily O. Howard, John M. Howard, Cornelia Parks, Emory Gilly, Louis Gilly, Annie Gilly, Trip Gilly & Gale Gilly infants by J. A. Skaggs their guardian ad litem, and the replication thereto. On consideration of all which and for reasons appearing to the Court it is adjudged, ordered and decreed that L. M. Carnieles, Wm M. Pennington, H. N. G. Barron and L. M. Duncanson who are hereby appointed special Comrs. for the purpose will go upon the lands in the bill & proceedings mentioned and partitioned the same among those entitled thereto; they will assign one equal share of said land to Eveline Skaggs adjoining the lands of her husband if the same can be done without injury to those others interest; and the residue of said land they will divide in four equal shares in

No. 1

John F. Shaggs wife

v. Decree No. 1

Le. B. Howards heirs

Entered in Le. C. B. Page
444

March 9th, 1893,
Recorded in Deed
Book 29 Pa. - 359.

Entered this

March, 9 1893

H. S. K. M.

equal value and assign one each
to Noble Johnson, Emory O.
Howard and John M. Howard, and
one to Corrie Parks, Emory Gilly
Loren Gilly, Hiram Gilly, S. J. Gilly
and Gail Gilly children of Mary
Gilly dead to be held by them jointly.
Said courts will report their
action to court, and this cause is
continued.

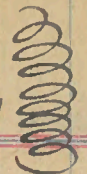
Virginia

At a Circuit Court Continued and
held for Lee County at &c, March 9th 1893
John F. Shaggs & wife Plffs 3
vs 3 In Chancery
C. B. Howards heirs Defts 3

It is adjudged ordered
and decreed that L. M. Carnine
W. M. Pennington, W. A. G. Barrow,
and M. L. Slump, who are hereby
appointed Special Commissioners
for the purpose, will go upon the
lands in the bill and proceedings
mentioned and partition the same
among those entitled thereto, they
will assign one equal share of said
land to Evaline Shaggs, adjoining
the lands of her husband, if the same
can be done without injury to
others interested, and the residue
of said land, they will divide into
four equal shares of equal value
and assign one each to Mabel Johnson
Emily C. Howard, John M. Howard
and one to Carrie Parks, Emory Gilley
Leroy Gilley, Francis Gilley, Lip Gilley and
Gale Gilley Children of Mary Gilley dec'd.
to be held by them jointly. Said Court will
report their action to Court and the Cause is
Continued. A Copy Teste J. A. Syatt Clerk

4 copies

J. F. Skagg wife

vs  Copy of Deed

C. B. Howard heirs

Executed by me
Delivering a copy
of the within
Deed to M. G. Slomp
and W. N. G. Barron
this Apr 25th 1893
L. M. Wade D. S.
for C. E. Flanary
S. L. C.

Fee for Copies \$1.43

Pursuant to an order of the Circuit Court of Lee County dated March 9 1893. We the undersigned Commissioners L. M. Cornsick, E. W. Pennington and W. N. G. Barron

have partitioned among those entitled thereto the property known as the Howard reserve situated in the Town of Pennington La according to the following plat and Report.

Having due regard to quality, quantity, position &c we have laid off and assigned to Evelyn S. Caggs Wife of John T. Caggs (Lot No 1) which we believe equal in value to one fifth the entire lands, subject to this partition, the acres and bounds of which are located by the surrounding Town of Pennington La and subject to certain streets running through it, hence in making such partition the lines of the Lots are run across said streets to the Northern and Southern bounds of said reserve, but we do not include said streets within said lots but there are excepted therefrom Lot No 1 is bounded as follows: Beginning in the middle of Morgan Avenue upon the west line of the Howard reserve as shown upon the plat of the Town of Pennington La thence with the middle of said street Eastward (74) seventy four feet to a stake, thence with lines parallel to said west line, extending to the North & South lines of reserve, and with

the same to the west line and with it to the
Containing exclusion of streets $\frac{10}{13}$ acres more or less
beginning. We have laid off and agreed
to the children of Mary Kelley deed viz
Carrick Parks, Emory Kelley Crest Kelley ~~Amis~~
Kelley Tip Kelley and John Kelley Lot No 2
bounded as follows. Beginning at stake
in the middle of Morgan Ave. upon the ~~East~~
line of Lot No 1 thence with middle of
said street ^{Eastward} (73) seventy three feet to a stake
thence with lines parallel to the west line,
extended to the north and south bounds
of said reserve, and with the same to East
line ^{of Lot No 1} and with same to the beginning
Containing exclusion of streets $\frac{10}{13}$ acres more or less
We have laid off and agreed to Emily O.
Howard Lot No 3 bounded as follows
Beginning at a stake in the middle of Morgan
Ave. upon the East line of Lot No 2. Thence
with the middle of said street Eastward
(77) ~~Seventy seven feet~~ ^{Seventy seven feet} to a
stake, thence with a line parallel with the west
line, extended to the north and south bounds
of said reserve, and with the same to said East
line of Lot No 2 & with it to the beginning
Containing exclusion of streets $\frac{10}{13}$ acres more or less
We have laid off and agreed to John H.
Howard Lot No 4 bounded as follows
Beginning on the East line of Lot No 3

and in the middle of Mangon are thence
Eastward with the middle of said street
(132) one hundred and thirty two feet
to a stake thence with lines parallel to the
West line, extended to the north &
south bounds of said reserve, and with
the same to the East line of Lot No 3,
and with the same to the beginning
Containing exclusive of streets $\frac{15}{18}$ acres more or less
This assignment does not include the
dwelling house thereon, which is assigned
to Lot No 3 to be removed.

We have laid off and assigned to Abel
Johnson Lot No 5. Beginning on
the East line of Lot No 4 and in the
middle of Mangon are thence
Eastward some 273 feet to a stake on
the East line of said reserve, and with
it to the north & south bounds of
the said reserve, and with the same to
the East line of Lot No 4 and with line
of same to the beginning.

Containing exclusive of streets $\frac{20}{13}$ acres more or less

Respat submitted May 8th 1893

J. W. Cornical
W. W. Pennington
W. W. J. Barron

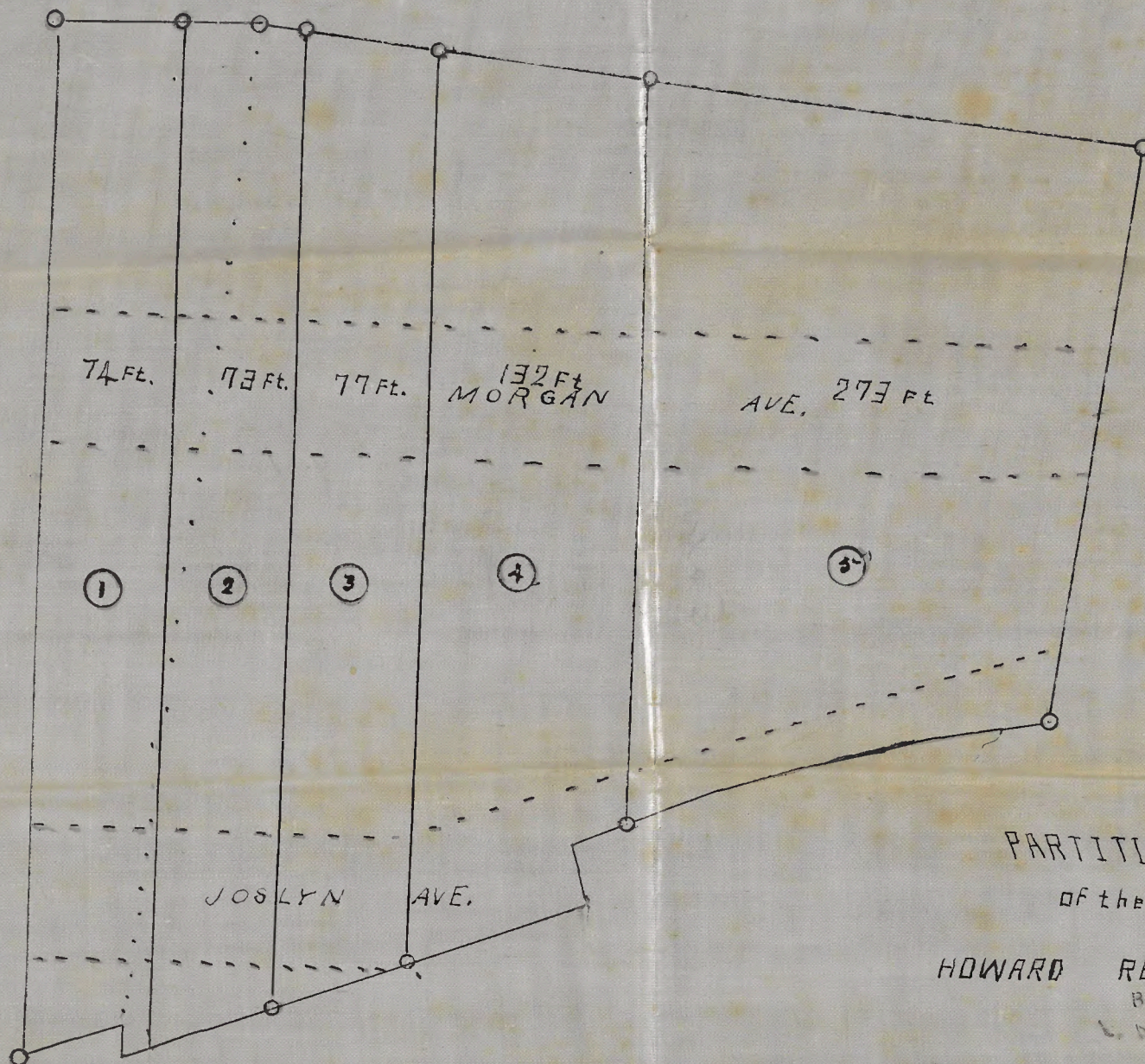
no 2
J. F. Shugg vs wife
vs Comrs Report
vs partition
C. B. Howard as kin

Filed May. 23rd 1893
J. A. Stzatt

Recorded in Deed
Book 29 pa-359

Comrs fee 10⁰⁰

Price of Cost L. W. Cornwell Calculating & reporting \$6⁰⁰
W. M. Cunningham Comr. 1 day \$2⁰⁰
W. M. P. Barron " day 2⁰⁰
\$10⁰⁰



PARTITION
of the
HOWARD RESERVE
By
L. M. CARMICHAEL et al

May 8th 1893

6 — 50
33
2. 83

- 1 J. P. Herndon
- 2 E. Sarah. Flanagan
- 3 George. Haskins
- 4 W. P. Sprinkle
- 5 W. W. W. W.
- 6 Morgan. Thomas
- 7 C. C. Blankenship
- 8 H. C. McKel
- 9 D. H. Russell
- 10 W. B. Livingston
- 11 J. J. Henry
- 12 C. C. Bell

Jerry
No 2

The Commonwaalth of Virginia.

TO THE SHERIFF OF LEE COUNTY, GREETING:

We Command, You to Summon

Charles E. Johnson and
Walter Johnson, Hugh E. Sparks,
and Leachman Sparks, Emily O. Howard
John M. Howard, Emory Gilley
Creed Gilley, Anna Gilley, L. P. Gilley
and Gale Gilley

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in
October 1893 next, being rule day to answer a bill in Chancery exhibited in our said Court against

..... by
Eveline J. Spragg

And have then and there this writ Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This ... *1st* ...
day of *October* 18*93*, in the 11*7* year of the Commonwealth.

A Copy Teste

11
12
13
5

J. A. G. Hyatt Clerk.

352 (SVP)

J. F. Shagmottell

3 Spu in

no 3 chey

Chas. E. Johnson et al

By 1st October, 1892

Executed Oct 3-1892

by delivering and affixing
copy of the within summe

to Chas. E. Johnson

Wm. Johnson, Hugh H. C.

Wm. Johnson, John H. C.

O. Johnson, John H. C.

John H. C. Johnson, John H. C.

Gibley, John H. C.

Gibley, John H. C.

Gibley, John H. C.

1892.

C. E. Flannery.

S. L. C.